
Mobile Home Relocation Assistance Program



California Department of Transportation

Uniform Relocation Assistance
and Real Property Acquisition
Policies Act of 1970
As Amended April 2, 1987

Declaration Of Policy

“The purpose of this title is to establish a **uniform policy for fair and equitable treatment** of persons displaced as a result of federal and federally assisted programs in order that such persons **shall not suffer disproportionate injuries** as a result of programs designed for the benefit of the public as a whole.”

While every effort has been made to assure the accuracy of this booklet, it should be understood that it does not have the force and effect of law, rule, or regulation governing the payment of benefits. *Should any difference or error occur, the law will take precedence.*

INTRODUCTION

The Relocation Assistance Program is designed to help you relocate with as little hardship as possible. This brochure outlines the benefits you may be entitled to, and what you must do to receive them. Relocation of mobile homes is a complex matter due to the various combinations of ownership and tenancy found in mobile home occupancy. Therefore, all of the details of the program cannot be included in a brochure designed to give you an outline of the program. You should consult your Relocation Assistance Advisor for details.

There are three basic benefits to the Relocation Assistance Program:

1. Advisory assistance
2. Moving payments
3. Supplementary payments

Eligibility requirements for benefits are explained in the next section and further along in this brochure.

ELIGIBILITY

The key to eligibility for benefits is the date of “initiation of negotiations.” This is the date that a first written offer or notice to acquire is given to the owner of the land on which the mobile home is located. Tenure, or length of time you have occupied the mobile home on the land on which it is located prior to the initiation of negotiations, determines the types of benefits for which you are eligible. Ownership or tenancy of the mobile home and/or land is also a factor in determining types of benefits. Generally, a person moving onto property after the initiation of negotiations is not eligible for full benefits. However, if this is your situation, contact your Relocation Assistance Advisor.

BENEFITS

Relocation Advisory Assistance

Any person displaced from property acquired for transportation purposes is eligible for advisory services. Some of the ways in which your Relocation Assistance Advisor can help you are as follows:

1. Assist in locating replacement properties within your financial means.

2. Direct you to other governmental agencies for help and service.
3. Provide Information on replacement neighborhoods, mobile home parks, and specialists in mobile home moves.

Moving Payments

To be eligible for moving expenses, you must reside in the property to be purchased by the Department. Moving expense payments cannot be made until you actually vacate the property. If you are a tenant, you will receive notice when the Department has made the first written offer for the property.

In most cases, furniture is moved with the mobile home and the move is performed by experienced mobile home movers. Your Relocation Assistance Advisor can assist you in obtaining bids from qualified mobile home movers. In those few situations where the furniture is moved separately from the mobile home, your Relocation Assistance Advisor will explain the Room Count Method and the Moving Service Authorization.

When using the Actual Cost Method, a mobile home owner may be reimbursed for actual expenses incurred moving the mobile home to the replacement site, the reasonable cost of disassembling, moving and reassembling any attached appurtenances (such as porches, decks, skirting and awnings) which are not acquired, and anchoring of the unit. Utility "hook up" charges are also reimbursable.

The Department will not participate in moving costs beyond 50 road miles from the acquired property. **DO NOT INCUR ANY MOVING COSTS BEFORE YOU HAVE CONTACTED YOUR RELOCATION ASSISTANCE ADVISOR.**

Supplementary Payments

A. Rental Assistance Payment

A Rental Assistance Payment is the extra amount, if any, determined by the Department, over the amount paid in rent and estimated average monthly utilities at the time of moving, necessary to rent a comparable mobile home and/or site. The amount determined by the Department establishes the maximum amount of the monthly rental assistance. The Rental Assistance Payment is subject to the "spend-to-get" rule.

“Spend-to-get” means that, in order to receive the maximum payment, the rental rate and average monthly utility costs at the replacement property must be equal to, or more than, the rent and average monthly utility costs for a comparable mobile home and/or site as determined by the Department.

To be eligible for a Rental Assistance Payment, you must have rented and occupied the mobile home on the site for at least 90 days prior to the initiation of negotiations.

Before a Rental Assistance Payment can be paid, the Department must have made a written offer to acquire the property where you now live and the replacement property must be inspected prior to your move to ensure that it meets decent, safe, and sanitary standards.

- **Down Payment**

Those persons who are eligible for a Rental Assistance Payment have the option of a down payment and payment of incidental expenses on the purchase of a replacement mobile home and/or site. As in the case of a Rental Assistance Payment, there is a statutory limit on the total amount of the down-payment claim. Your Relocation Assistance Advisor can explain the details of this option.

B. Purchase Supplement

A Purchase Supplement may be paid up to the statutory limit of \$22,500. The Purchase Supplement includes:

- **Price Differential**

An owner-occupant who has occupied the mobile home on the site for at least 180 days prior to initiation of negotiations and whose mobile home is purchased by the State is eligible for a Price Differential. A Price Differential is the difference between the amount paid by the Department for the mobile home and the amount determined by the Department as necessary to purchase a comparable mobile home. This payment is subject to the “spend-to-get” rule.

A mobile home occupant whose unit has occupied a site which he has owned for at least 180 days prior to initiation of negotiations and whose site is subsequently purchased by the Department, can be eligible for a site Price Differential. In this situation, if the displaced person elects to purchase a replacement site and the

amount determined by the Department as necessary to purchase a comparable replacement site exceeds the amount paid for the original site, the displacee is entitled to a Price Differential payment. As in the case above, this payment is subject to the “spend-to-get” rule.

- **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if the interest rate on your new mortgage exceeds that of your present mortgage. To be eligible, your acquired mobile home or site must have been encumbered by a bona fide mortgage which was a valid lien for at least 180 days prior to the initiation of negotiations.

Please be aware that payment for some of the increased mortgage interest costs may be **prorated**. Also, the increased mortgage interest costs may be based on the prevailing interest rate. All interest payments are based on the amount of your existing loan or new loan, whichever is less. See your Relocation Advisor for details.

- **Incidental Costs**

This payment compensates for most of the costs incurred in purchasing a replacement mobile home or site. To be eligible, you must qualify for either a Purchase Supplement or a Down Payment.

Some of the types of expenses include:

1. Legal, closing, and related costs
2. Appraisal fees
3. Credit report
4. Title policy
5. Mortgage and loan brokerage fees
6. Escrow fees
7. Real estate transfer fees
8. Sales or use tax on mobile homes
9. HCD title transfer fees
10. Points if not paid as part of the Increased Mortgage Interest payment

Some of the above expenses may be paid on a prorated basis. See your Relocation Advisor for details.

Proration of taxes and insurance costs are not eligible costs.

The closing escrow statement or other documentation must be submitted to show that the eligible costs were incurred. All claims for payment must be submitted on a claim form which your Relocation Advisor will provide to you.

IMPORTANT NOTICE

By law, relocation payments are not considered income for the purpose of personal income tax laws. Furthermore, these payments are not considered income or resources to persons who receive welfare or public assistance payments. Relocation benefit payments also are not generally subject to attachment for payment of debt or liens. If any problem arises regarding this, please notify your Relocation Assistance Advisor who will assist you in determining your liability.

Failure to pay necessary rental payments to the Department may reduce the replacement housing payment which you will receive.

The decent, safe, and sanitary inspection of the replacement residence that will be conducted by Department personnel is for the sole purpose of determining your eligibility for a relocation payment. You, therefore, must not interpret the Department's approval of a residence as providing any guarantee that there are no deficiencies on the residence or on its fixtures and equipment which may be discovered at a later date. It is, therefore, your responsibility to protect your best interest and investment in the purchase or rental of your replacement residence and you must clearly understand that the Department will assume no responsibility or blame if structural, mechanical, legal, or other unforeseen problems are discovered after the inspection has been conducted.

YOUR RIGHT OF APPEAL

The Uniform Act provides that a person may appeal to the head of the responsible agency if the person believes that the agency has failed to properly determine the person's eligibility for, or the amount of, a payment authorized by the Act. If you indicate your dissatisfaction, either verbally or in writing, the Department will assist you in filing an appeal and explain the procedures to be followed. You will be given a prompt and full opportunity to be heard. You have the right to be represented by legal counsel or other representative in connection with the appeal (but solely at your own expense).

The Department will consider all pertinent justification and materials submitted by you and other available information needed to ensure a fair review. The Department will provide you with a written determination resulting from the appeal with an explanation of the basis for the decision. If you are still dissatisfied with the relief granted, you may seek judicial review.

NOTICE TO VACATE

No person eligible for relocation payments and who is lawfully occupying real property required for the project will be asked to move without first being given at least 90 days advance notice, in writing.

ADDITIONAL INFORMATION

- A. The Department must have made a written offer to acquire the property where you live before any relocation benefit can be paid to you.
- B. You must occupy your replacement dwelling within one year as follows:
 - 1. Tenant—after vacating.
 - 2. Owner—Later of:
 - the date you receive final payment for the property acquired by the Department (or the date the full amount of the estimate of just compensation is deposited in court).
 - the date a comparable replacement dwelling is made available to you.

NOTE: Eligibility time limits differ between 90-day owner occupants and 180-day owner occupants. Contact your Relocation Assistance Advisor for details.

- C. To receive payment, you must submit a claim form which your Relocation Assistance Advisor will give you. Submit this form no later than six months after your particular occupancy deadline.
- D. Before the Department can make any payment, other than for moving costs, your new dwelling must be inspected by a Department agent. Be sure to have this done before you are obligated to buy or rent your replacement property.

This is a general information brochure only and is not intended to provide a detailed description of either the law or regulations pertaining to the Relocation Assistance Program.

Additional information or copies of the Department regulations regarding the Relocation Assistance Program can be obtained from your Relocation Assistance Advisor.

FAIR HOUSING

The Fair Housing Law (actually Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin.

Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings not located in an area of minority concentration that are within their financial means. This policy, however, does not require the Department to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

NON-DISCRIMINATION

All services, and/or benefits, will be administered to the general public without regard to race, color, national origin or sex in compliance with Title VI of the 1964 Civil Rights Act (42 USC 2000d. et seq.).



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